

REMARKS

Favorable reconsideration of this application in light of the following remarks is respectfully requested. Claims 1-18 are pending in this application, with claims 1 and 12 being independent.

During a telephone conversation on June 5, 2006, Applicants requested the Examiner contact Scott A. Elchert at (703) 668-8049 when considering this Request for Reconsideration to further discuss the claimed invention and cited references. Per the Examiner's request this reminder has been incorporated into the Request for Reconsideration.

Drawings

Examiner asserts that "new corrected drawings in compliance with 37 C.F.R. § 1.121(d) are required in this application because the drawings are not clearly legible since they are hand-drawn."

However, Applicants respectfully note that two (2) sheets of formal drawings were submitted to the USPTO on April 25, 2002. These formal drawings are shown as being received by the USPTO, as evidenced by the formal drawings availability in the USPTO provided public PAIR.

Accordingly, Applicants respectfully request that the next communication from the USPTO include an indication as to the acceptability of the formal drawings filed on April 25, 2002.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-3 and 10

Claims 1-3 and 10 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lager et al. (U.S. Patent No. 6,636,502, herein Lager) in view of Tiedemann, Jr., et al. (U.S. Patent No. 6,216,004, herein Tiedemann). Applicants respectfully traverse this rejection for the reasons detailed below.

The method for configuration negotiation in a data communication system of independent claim 1 recites, *inter alia*, “receiving, at an access network, an access request and a token from an access terminal, the token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type;” and “sending information to and receiving information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type when a portion of the access network communicating with the access terminal operates according to the default parameter group for the associated parameter group type and the bit indicates the access terminal operates according to the default parameter group for the associated parameter group type.”

Lager is directed to a switching device (PLMN-SW) in a mobile radio communication system (PLMN), which allows a terminal station (GPRS-MS) to connect with one of a plurality of packet data communication networks (PDN1, PDN2, IN).¹ In Lager, a “network request means NRM of said terminal station GPRS-MF is provided for sending said selected network indication parameter NIP to said switching device PLMN-SW in order to request a connection

¹ Lager, FIG. 8.

to the packet data communication system indicated by said network indication parameter

NIP.²

Accordingly, the request including the network indication parameter NIP is sent by the terminal device GPRS-MS and is received by the switching device PLMN-SW. The network indication parameter NIP does not provide any indication as to whether the terminal station GPRS-MS is operating according to a default parameter group, but instead merely instructs the switching device PLMN-SW with which packet data network to connect. Accordingly, Applicants respectfully rebut the Examiner's assertion, on page 3, lines 1-5 of the Office Action, that Lager describes "receiving, at an access network, an access request indicating whether the access terminal is operating according to a default parameter group for the associated parameter group."

In response to the above argument, which was previously set forth in the Amendment filed November 10, 2005, the Office Action mailed March 2, 2006 states the following:

The NIP is used to determine whether the terminal station operates according to the subscription parameters of the switch. Therefore, the request indicates whether the terminal station GPRS-MS operates according to a default parameter group.³

With respect to the above assertions, Applicants respectfully note that the subscription parameters merely indicate if the GPRS-MS is registered for a particular Internet Service Provider (ISP), for example COMPUSERVE, T-ONLINE, etc, as described in Lager.⁴

Accordingly, Applicants respectfully submit that the request including the NIP does not indicate if the terminal station GPRS-MS operates according to a default parameter group. Instead, the NIP merely instructs the switching device PLMN-SW which packet data network to connect to,

² Lager, column 12, lines 43-49.

³ Office Action mailed March 2, 2006, page 17, lines 3-7.

and the switching device PLMN-SW determines if the terminal station GPRS-MS subscribes to the particular ISP indicated by the NIP before connecting the terminal station GPRS-MS to the ISP. The NIP does not provide any indication as to the communication protocols involved in the communication between the terminal station GPRS-MS and the ISP.

Furthermore, in the Office Action mailed March 2, 2006, the Examiner correctly acknowledges that Lager does not “teach of a token from an access terminal, the token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group; and the bit indicating the access terminal operates according to the default parameter group for the associated parameter group type.”⁵ The Examiner relies on Tiedemann to allegedly teach “using a bit to indicate access parameters in a wireless communication network (Col. 5, lines 1-5).”⁶

However, Tiedemann merely states that an “extended system parameters message” may have a 1-bit flag that indicates whether an Access Probe Handoff is permitted to a base station.⁷

Accordingly, Applicants respectfully submit that Tiedemann fails to disclose, teach or suggest the method of independent claim 1 including receiving a “token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type,” wherein the received token may trigger an access network to send and/or receive “information from the access terminal according to the default parameter group without negotiating parameters for the associated parameter group type when a portion of the access network

⁴ Lager, column 16, line 67 to column 17, line 2.

⁵ Office Action mailed March 2, 2006, page 3, lines 17-21.

⁶ Office Action mailed March 2, 2006, page 3, lines 22-23.

⁷ Tiedemann, column 2, lines 1-6.

communicating with the access terminal operates according to the default parameter group for the associated parameter group type and the bit indicates the access terminal operates according to the default parameter group for the associated parameter group type.”

In light of the above, Applicants respectfully request that the rejection of claims 1-3 and 10 under 35 U.S.C. § 103(a) be withdrawn.

Claims 4, 6, 9 and 11

Claims 4, 6, 9 and 11 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lager and Tiedemann in view of Dunn et al. (U.S. Patent No. 6,591,103, herein Dunn). Applicants respectfully traverse this rejection for the reasons detailed below.

Dunn is directed to a wireless telecommunication system that includes a Central Selection Agency (CSA) that identifies network and base stations as potential carriers for a call. Based on user preferences established by a profile stored in an accessible data base, the CSA assigns a network and a base station to handle the connection.⁸ The CSA in Dunn may recognize and assign a call received from a user device to a network based on user profile information.

However, Applicants respectfully submit that Dunn also fails to disclose, teach or suggest the above-emphasized features of independent claim 1, and therefore fails to cure the deficiencies of Lager and Tiedemann as described above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of claims 4, 6, 9 and 11, that depend from independent claim 1, be withdrawn.

Claim 5 stands rejected under 35 U.S.C. §103(a) as unpatentable over Lager, Tiedemann, Dunn and further in view of Raith (U.S. Patent No. 5,241,598). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants respectfully submit that Raith also fails to cure the deficiencies of Lager, Tiedemann, and Dunn as described above with respect to independent claim 1, and thus, dependent claim 5 is allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection of claim 5 under 35 U.S.C. § 103(a) be withdrawn.

Claims 7 and 8

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lager, Tiedemann, and Dunn in view of La Porta et al. (U.S. Patent No. 6,085,086, herein La Porta). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants respectfully submit that La Porta also fails to cure the deficiencies of Lager, Tiedemann, and Dunn as described above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of claims 7 and 8, which depend from independent claim 1, also be withdrawn.

Claim 5

Claim 5 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Lager, Tiedemann, and Dunn in view of Raith (U.S. Patent No. 5,241,598, herein Raith). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants respectfully submit that Raith also fails to cure the deficiencies of Lager, Tiedemann, and Dunn as described above with respect to independent claim 1, and thus,

⁸ Dunn, Abstract.

dependent claim 5 is allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 1.

Therefore, Applicants respectfully request that the rejection of claim 5 under 35 U.S.C. § 103(a) be withdrawn.

Claims 12, 14, 17 and 18

Claims 12, 14, 17 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Dunn in view of Tiedemann. Applicants respectfully traverse these rejections for the reasons detailed below.

Independent claim 12 includes features somewhat similar to those discussed above with regard to independent claim 1. As further explained above, both Dunn and Tiedemann fail to disclose, teach or suggest the above-emphasized features as set forth somewhat similarly in independent claim 1. In particular, claim 12 recites, “receiving, at an access network, an access request and a token from an access terminal, the token including at least one bit associated with a parameter group type, the bit indicating whether the access terminal is operating according to a default parameter group for the associated parameter group type;” and “sending information to and receiving information from the access terminal according to the accessed parameter group of the associated parameter group type for the access terminal without negotiating a parameter group of the associated parameter group type when a portion of the access network communicating with the access terminal operates according the accessed parameter group for the associated parameter group type.”

Thus, for at least reasons somewhat similar to those set forth above with regard to claim 1, Applicants respectfully submit that both Dunn and Tiedemann fail to disclose, teach or suggest all of the features of claim 12.

Therefore, Applicants respectfully request that the rejection of claims 12, 14, 17 and 18 under 35 U.S.C. § 103(a) be withdrawn.

Claim 13

Claim 13 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Dunn and Tiedemann in view of Raith. The Applicants respectfully traverse this rejection as detailed below.

Applicants respectfully submit that Raith also fails to cure the deficiencies of Dunn and Tiedemann as described above with respect to independent claims 1 and/or 12. Thus, dependent claim 13 is allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 12.

Therefore, Applicants respectfully request that the rejection of claim 13 under 35 U.S.C. § 103(a) be withdrawn.

Claims 15 and 16

Claims 15 and 16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Dunn and Tiedemann in view of La Porta. The Applicants respectfully traverses these rejections for the reasons detailed below.

Applicants respectfully submit that La Porta also fails to cure the deficiencies of Dunn and Tiedemann as described above with respect to independent claims 1 and/or 12. Thus,

dependent claims 15 and 16 are allowable over the cited references for at least the same reasons as discussed above with respect to independent claim 12.

Therefore, Applicants respectfully request that the rejection of claims 15 and 16 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-18 in connection with the present application is earnestly solicited.

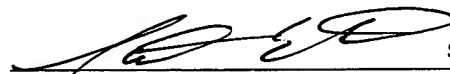
Should there be any outstanding matters that need to be resolved in the present application; the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

 55,149 For

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